

27. A cosmetic composition comprising:

an acrylates copolymer; and,

an amphoteric polymer chosen from

octylacrylamide/acrylates/butylaminoethyl methacrylate copolymers.

28. A hair spray comprising:

an ethyl acrylate/methyl methacrylate/methacrylic acid/acrylic acid

copolymer; and

an amphoteric polymer chosen from

octylacrylamide/acrylates/butylaminoethyl methacrylate copolymers.

29. A hair spray according to claim 28, wherein said ethyl acrylate/methyl methacrylate/methacrylic acid/acrylic acid copolymer has a glass transition temperature of approximately 30°C as an aqueous dispersion comprising 25 % by weight of the copolymer.

30. A hair spray according to claim 28, further comprising a propellant.

31. A hair spray according to claim 30, wherein said propellant is chosen from fluorinated hydrocarbons.

32. A hair spray comprising:

an acrylates copolymer; and,

an amphoteric polymer chosen from

octylacrylamide/acrylates/butylaminoethyl methacrylate copolymers.

33. A hair spray according to claim 32, further comprising a propellant.

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34. A cosmetic composition comprising:
an ethyl acrylate/methyl methacrylate/methacrylic acid/acrylic acid copolymer; and
at least one anionic polymer chosen from ethyl ester of PVM/MA copolymers.

35. A cosmetic composition according to claim 34, wherein said ethyl acrylate/methyl methacrylate/methacrylic acid/acrylic acid copolymer has a glass transition temperature of approximately 30°C as an aqueous dispersion comprising 25 % by weight of the copolymer.

36. A cosmetic composition comprising:
an acrylates copolymer; and,
at least one anionic polymer chosen from ethyl ester of PVM/MA copolymers.

37. A hair spray comprising:
an ethyl acrylate/methyl methacrylate/methacrylic acid/acrylic acid copolymer; and
at least one anionic polymer chosen from ethyl ester of PVM/MA copolymers.

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38. A hair spray according to claim 37, wherein said ethyl acrylate/methyl methacrylate/methacrylic acid/acrylic acid copolymer has a glass transition temperature of approximately 30°C as an aqueous dispersion comprising 25 % by weight of the copolymer.

39. A hair spray according to claim 37, further comprising a propellant.

40. A hair spray according to claim 39, wherein said propellant is chosen from fluorinated hydrocarbons.

41. A hair spray comprising:

an acrylates copolymer; and,

at least one anionic polymer chosen from ethyl ester of PVM/MA copolymers.

42. A hair spray according to claim 41, further comprising a propellant.

43. A cosmetic composition comprising:

an ethyl acrylate/methyl methacrylate/methacrylic acid/acrylic acid copolymer; and

a polymer chosen from acrylates/hydroxyesters acrylates copolymers.

44. A cosmetic composition according to claim 43, wherein said ethyl acrylate/methyl methacrylate/methacrylic acid/acrylic acid copolymer has a glass transition temperature of approximately 30°C as an aqueous dispersion comprising 25 % by weight of the copolymer.

45. A cosmetic composition comprising:
an acrylates copolymer; and,
a polymer chosen from acrylates/hydroxyesters acrylates copolymers.

46. A hair spray comprising:
an ethyl acrylate/methyl methacrylate/methacrylic acid/acrylic acid
copolymer; and

a polymer chosen from acrylates/hydroxyesters acrylates copolymers.

47. A hair spray according to claim 46, wherein said ethyl
acrylate/methyl methacrylate/methacrylic acid/acrylic acid copolymer has a glass
transition temperature of approximately 30°C as an aqueous dispersion
comprising 25 % by weight of the copolymer.

48. A hair spray according to claim 47, further comprising a propellant.

49. A hair spray according to claim 48, wherein said propellant is
chosen from fluorinated hydrocarbons.

50. A hair spray comprising:
an acrylates copolymer; and,
a polymer chosen from acrylates/hydroxyesters acrylates copolymers.

51. A hair spray according to claim 50, further comprising a
propellant.

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52. A cosmetic composition comprising
an ethyl acrylate/methyl methacrylate/methacrylic acid/acrylic acid
copolymer,
a polymer chosen from acrylates/hydroxyesters acrylates copolymers,
water; and
an alcohol.

53. A cosmetic composition according to claim 52, further comprising:
aminomethylpropanol;
a fragrance;
a preserving agent;
a conditioning agent;
a basifying agent other than aminomethylpropanol; and
a protein.

54. A hair spray comprising:
an ethyl acrylate/methyl methacrylate/methacrylic acid/acrylic acid
copolymer,
a polymer chosen from acrylates/hydroxyesters acrylates copolymers
water; and,
an alcohol.

55. A hair spray according to claim 54 further comprising:

aminomethylpropanol;

a fragrance;

a preserving agent;

a conditioning agent;

a basifying agent other than aminomethylpropanol, and

a protein.

56. A hair spray according to claim 54 wherein said ethyl
acrylate/methyl methacrylate/methacrylic acid/acrylic acid copolymer is at least
partially neutralized.

57. A cosmetic composition comprising:

an acrylates copolymer; and,

* a methacrylic acid/hydroxy^{ester}ethyl methacrylate/butyl acrylate/methyl
methacrylate tetrapolymer.

58. A cosmetic composition according to claim 57 wherein said
methacrylic acid/hydroxy^{ester}ethyl methacrylate/butyl acrylate/methyl methacrylate
tetrapolymer is an aqueous dispersion containing 41% of active material.

59. A hair spray comprising:

an ethyl acrylate/methyl methacrylate/methacrylic acid/acrylic acid
copolymer; and

* a methacrylic acid/hydroxy^{ester}ethyl methacrylate/butyl acrylate/methyl
methacrylate tetrapolymer.

60. A hair spray according to claim 59, wherein said

methacrylic acid/hydroxy^{ester}ethyl methacrylate/butyl acrylate/methyl methacrylate
tetrapolymer is an aqueous dispersion containing 41% of active material.

61. An aerosol hair spray comprising:

an ethyl acrylate/methyl methacrylate/methacrylic acid/acrylic acid
copolymer; and

* a methacrylic acid/hydroxy^{ester}ethyl methacrylate/butyl acrylate/methyl
methacrylate tetrapolymer.

62. A pump action hair spray comprising:

an ethyl acrylate/methyl methacrylate/methacrylic acid/acrylic acid
copolymer; and

* a methacrylic acid/hydroxy^{ester}ethyl methacrylate/butyl acrylate/methyl
methacrylate tetrapolymer.

63. A hair spray comprising:

an acrylates copolymer; and,

at least one anionic polymer chosen from monoesterified maleic anhydride/methyl vinyl ether copolymers.

64. A pump action hair spray comprising:

an ethyl acrylate/methyl methacrylate/methacrylic acid/acrylic acid copolymer,

a polymer chosen from acrylates/hydroxyesters acrylates copolymers water; and,

an alcohol.

65. A hair spray according to claim 64 further comprising:

aminomethylpropanol;

a fragrance;

a preserving agent;

a conditioning agent;

a basifying agent other than aminomethylpropanol, and

a protein.

66. An aerosol hair spray comprising:

an ethyl acrylate/methyl methacrylate/methacrylic acid/acrylic acid copolymer,

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a polymer chosen from acrylates/hydroxyesters acrylates copolymers

water;

propellant; and

an alcohol.

67. A hair spray according to claim 66 further comprising:

aminomethylpropanol;

a fragrance;

a preserving agent;

a conditioning agent;

a basifying agent other than aminomethylpropanol, and

a protein. —

Information Disclosure Statement

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement (IDS) is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are attached.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached PTO-1449 form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant(s) determine(s) that the cited document(s) do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

The Advertisement in Spray Technology, "Amerchol mixes resins to improve 55% VOC hair sprays" mentioned in the IDS was published in the September 1998 edition, after even the U.S. filing date of the parent of this application.

With respect to the Avon product, "Avon Techniques Hair Spray for Extra Hold and All-Over Control," the product label of which is provided in the IDS, Applicants believe that it was launched in July 1997, *i.e.*, after even the filing date of the parent of this application. This is based on the fact that Spray Technology & Marketing for November 1997 reported that the Avon had entered the market with the Avons Technique line of products in July 1997.

After the interview and in July 1999, Applicants purchased in the U.S. another Avon product, "Avon Techniques Finishing Hair Spray for Natural Hold and Control." Based on present information and belief, this product was launched July 1997, based on the fact that Spray Technology & Marketing for November 1997, mentioned above, in reporting the July 1997 launch of Avon Techniques, noted specifically the Finishing Hair Spray for Natural Hold and Control product and also based on the fact that the product was announced in the August - September 1997 edition of USA News. A product label of this product, a page of USA News provided by Cosmetic Research Institute, and the Spray Technology & Marketing article, are also included in the IDS.

The "Aqueous Dispersion" article is dated June 1995. Attention is directed, for example, to page 66, "Consumer Salon Study," first paragraph. This does not teach or suggest the invention recited in the new claims.

The U.S. patent provided in the IDS appears to be a counterpart to EP 0 590 604 A3 of record.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.